



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerardo Molina

Attorney Docket: CMI-429

S/N: 10/022,887

Group: 3738

Filed: 12/18/01

For: Graphite Reinforced Pyrolytic
Carbon Heart Valve
Prosthesis and Method

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Examiner: Kamrin Landrem

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TECHNOLOGY CENTER R3700

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RESPONSE TO OFFICE ACTION MAILED SEPTEMBER 12, 2003

This paper is filed in response to the Office Action mailed September 12, 2003 having a one month shortened statutory response period. A one month extension of time is filed herewith, extending the date for response to November 12, 2003.

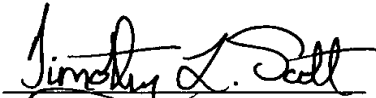
In the Office Action, the Examiner has issued a restriction requirement under 35 U.S.C. § 121 between Group I (Claims 1-6), drawn to a method of manufacturing pyrolytic carbon, and Group II (Claims 7-16, drawn to a heart valve device). Office Action at page 2 lines 4-6. According to the Examiner, restriction is appropriate because "both of the products made (annular valve body and mechanical heart valve) can be formed from [sic] by a materially different process such as molding and does not require coating and use [sic] a mandrel."

Applicants hereby elect for prosecution the claims of Group II (claims 7-16) for prosecution, with traverse. In particular, Applicants dispute that the products can be made by a materially different process and that the process can be used to make other and materially different products. Applicants respectfully dispute that the products made can be made by molding, as suggested by the Examiner. Absent evidence (as opposed to mere suggestions)

that other processes and products can be used, Applicants respectfully submit that the Examiner's position is not sustainable, and request that the claims be examined together.

It is believed that a one-month extension fee of \$110.00 is due; however, should any additional fees be required under 37 C.F.R. §§ 1.16 to 1.21, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2009.009200.

Respectfully submitted,

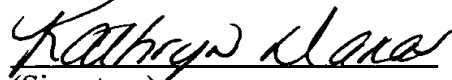

Timothy L. Scott
Reg. No. 37931
Houston, Texas 77046

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks
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on October 30, 2003
(Date)

Kathryn Danas
(Name of person making deposit)


(Signature)